

REMARKS

By the above actions, claims 14 & 26 have been amended and claim 27 cancelled, with the remaining claims left unchanged. In view of these actions and the following remarks, further consideration of this application is requested.

At the outset, it is requested that the finality of this Office Action be withdrawn as premature since it contains new grounds of rejection directed to language that was not amended in applicants' preceding response. In particular, claims 26 and 27 were not amended in applicants' last response and the Examiner's new rejection of these claims under 35 USC § 112 is based on the relationship of the language of these claims to that of claim 14 which was not affected by the amendments made to claim 14 in the Amendment After RCE filed February 4, 2010. That is, rejection under 35 USC § 112 contained in the Final Office Action of March 31st, to the extent appropriate, could have been made in the Examiner's preceding Office Action and thus address in applicants' preceding response, but was not. As such, it is inappropriate for the Examiner to have made this new ground of rejection and still have made the Office Action containing it final when it is being made due to an oversight by the Examiner and not due to any action by applicants in their last response.

As for the substance of the rejection of claims 16, 26 and 27 under 35 USC § 112, claim 27 has been cancelled and claim 26 amended as suggested by the Examiner. However, the rejection of claim 16 appears to be inappropriate since, contrary to the Examiner's assertion, it does not duplicate language found in claim 14 at lines 19-22 or elsewhere. That is, there is no mention of a play list in claim 14 and claim 16 further defines use of the play list first set forth in claim 15, from which claim 16 is dependent. For these reasons, the rejection for indefiniteness under § 112 is in order and is hereby requested.

Turning now to the new grounds of rejection under 35 USC §§ 102/103 based upon the newly cited patent to Muoio et al., either by itself or in combination with the Amo et al. publication, this rejection should be withdrawn for the following reasons.

First, it is pointed out that Muolo et al. relates to the display of a series of discrete and independent art works, and there is no time coordination between the playing of the play lists in the different rooms/spaces. As such, Muolo et al. is unrelated to the present invention and there is no coordination of the display devices with respect to each other in a manner enabling a viewer "to view a sequenced presentation despite movement of the viewer between

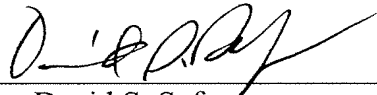
different locations which are not arranged in a linear sequence.” The Examiner’s assessment of this feature of claim 14 as finally rejected is clearly erroneous. That is, since the same (or different) play lists of art works are playing in the various rooms and there is no deliberate coordinated timing of the play list in one room relative to that in another room, it is not possible for a person to move from one room to another without missing at least a portion of the sequence of the presentation, that is even assuming that the same presentation is even playing in the room to which the person moves it being clear that different art images may be being displayed in the various rooms. The Amo et al. reference contains no disclosures that can make up for this deficiency of the Muolo et al. patent

However, despite the fact that claim 14 as finally rejected is submitted to be patentable over the prior art, for the purpose of advancing prosecution, amendments have been made above which make even clearer the above noted distinction of the present invention. In particular, it is not made express that which was previously implicit in that the coordination of the display devices with respect to each other is a coordination “in timing” the enabling a viewer to view a sequenced presentation is “without an interruption in the continuity of the sequenced presentation” despite movement of the viewer between different locations which are not arranged in a linear sequence “so that an image viewable at an expected time of arrival at a location to which the viewer is moving is the next image in the linear sequence relative to the image viewable in the location from which the view has moved at the time of the viewer’s departure therefrom.” Since these amendments are commensurate with the arguments for patentability presented in the Amendment filed February 4, 2010 and at the preceding interview with the Examiner and her Primary Examiner, it is submitted that they raise no new issues requiring further consideration and/or search, and thus, should be entered even without regard to the premature finality of this Office Action noted above.

Therefore, in view of the foregoing, in the absence of new and more relevant prior art being found, it is submitted that this application is in condition for allowance and action to that effect is requested. However, while it is believed that this application should now be in condition for allowance, in the event that any issues should remain, or an new issues arise, after consideration of this response which could be addressed through discussions with the undersigned, then the Examiner is requested to contact the undersigned by telephone for the

purpose of resolving any such issue and thereby facilitating approval of this application without further delay.

Respectfully submitted,

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